

Serial No.: 10/655,350
Response Dated February 16, 2007
Reply to Office Action of September 20, 2006

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REMARKS

In the Office Action of September 20, 2006, claims 19-30 and 41 were indicated by the Examiner as withdrawn, claims 1, 2, 3, 10-18, 31, 32, 36 and 40 were rejected, and claims 3-6, 8, 9, 33-35, and 37-39 were objected to. In this response, claims 1 and 14 have been amended, and claims 2 and 31-40 have been cancelled. Claims 1, 3-30 and 41 are currently pending in the application. Claims 1, and 3-18 are currently under examination.

ELECTION/RESTRICTION

The Examiner's withdrawal from further consideration of claims 19-30 and 41 under 37 CFR 1.142(b) is acknowledged. The applicants earlier elected claims 1-18 and 31-40.

DRAWINGS

In the referenced Office Action the drawings were objected to as "failing to comply with 37 CFR 1.84(p)(5)". The Examiner indicated that reference sign 160 which appears at various places in the text of the application, among them paragraph 0025 line 1, could not be found in the drawings. The Applicants acknowledge the error but point out that it is merely a typographical error centered in the text of the application and not the drawings. The text of the application refers to reference sign 160, when it should in fact be referring to reference sign 150. Thus while reference sign 160 appears multiple times in the text of the application and does not appear in the drawings, reference sign 150 appears in Figure 1 of the drawings but does not appear anywhere in the text of the application. This typographical error was entirely inadvertent and is regretted. Appropriate replacement paragraphs have been provided wherein reference sign 160 has been replaced by reference sign 150.

SPECIFICATION

The Applicants' Abstract was objected to as exceeding 150 words in length and other informalities. A replacement paragraph consonant with MPEP 608.01(b) has been included in the Amendments to the Specification section of this paper.

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The disclosure was further objected to because of the following informalities: "Reference characters 150 in Figure 1 and 134 in Figure 2 are not defined in the specification". The Applicants have explained that reference character 160 appeared inadvertently in the text where reference character 150 was intended. Appropriate correction of the specification has been undertaken. With respect to reference character 134, the Applicants point out that reference character 134 is discussed in paragraph 0034 lines 1-3 of the application as originally filed and the nature of reference character 134 would be well understood by one skilled in the art without additional elaboration.

The Examiner has suggested further that the "Main Effects Plots" on page [19] 20 of the specification should be part of the drawings and cites 37 CFR 1.58 in support. The Applicants urge that the "Main Effects Plots" represent a type of mathematical expression permitted under 37 CFR 1.58.

The Examiner has further requested tables appearing on pages 12-19 conform to a single format. Appropriate corrective action has been taken. Each of Tables 1-6 has been reformatted to a single format (See Amendments to the Specification).

The Examiner noted that in the originally filed specification "replaceable cascade plates" were designated by both reference character 130 in paragraph 0025 line 7 and reference characters 122 and 222 in paragraph 0032 line 4. Reference characters 130 and 230 were referred to in originally filed paragraph 0025 where reference characters 122 and 222 were intended. The specification as filed refers to reference character 122 as a "replaceable cascade plate" in paragraph 23 line 2. In addition, reference characters 122 and 222 representing replaceable cascade plates are discussed at length in paragraph 0032. Reference character 130 is described in the specification as a "cylindrical orifice" in paragraph 0035 lines 1 and 5. In addition, in Figure 2 of the drawings reference character 130 is clearly a cylindrical orifice in cascade plate 122. Paragraph 0025 has been amended such that reference character 130 has been replaced by reference character 122. Reference character 130 correctly represents a cylindrical orifice in paragraph 0035.

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CLAIM OBJECTIONS

Claim 14 was objected to as being dependent upon claim 1 instead of claim 13. Claim 14 has been amended to depend from claim 13.

CLAIM REJECTIONS

Claims 1, 2, 7, 10-18, 31, 32, 36 and 40 were rejected. Claims 1, 2, 7, 10-12, 31 and 40 were rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Number 5846330 (Quirk et al.). Claims 13-18, 32 and 36 were rejected under 35 U.S.C. 103(a) as being unpatentable over Quirk et al. in view of US Patent Number 6436125 (Yang et al.). Claims 1 has been amended in response to the Examiner's finding of allowable subject matter as discussed below, and claims 2 and 31-40 have been cancelled. As a result, all currently pending claims recite subject matter indicated by the Examiner as allowable. The Applicants thus respectfully request that the rejection of claims 1 and 3-18 under 35 U.S.C. 103(a) be withdrawn.

ALLOWABLE SUBJECT MATTER


Claims 3-6, 9-8, 33-35, and 37-39 were objected to as being dependent upon a rejected base claim but were considered allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, the Applicants have amended claim 1 to include the limitations of claims 3, 5 and 8 formulated as a Markush group. As a result, claims 1 and 3-18 recite subject matter indicated by the Examiner to allowable. The Applicants thus courteously request a prompt notification of allowance for claims 1 and 3-18.

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If further questions arise the Examiner is requested to contact the Applicant's undersigned representative at the telephone number below.

Respectfully submitted,



Andrew J. Caruso
Reg. No. 48,520

GE Global Research
1 Research Circle
Building K1, Room 3A71
Niskayuna, New York 12309
February 16, 2007
Telephone: (518) 387-7354